

Form/IBR
6/83

OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINES AND RECLAMATION
1855 Fountain Square Court
Columbus, Ohio 43224

1BR-0360-
RECEIVED
NOV 13 1997
DIVISION OF MINES
AND RECLAMATION
SERVICE

APPLICATION FOR AN INCIDENTAL BOUNDARY REVISION

This Form Cannot Be Utilized For The Removal of Coal
(File in Quadruplicate)

1. Permittee's Name The Ohio Valley Coal Company Phone # (614)926-1351
2. Address 56854 Pleasant Ridge Road Zip Code 43902
Alledonia, OH
3. Coal Mining Permit # D-0360
4. Additional Acres to be permitted 3.0
5. Has this acreage been affected? Yes , No X
6. Describe the reason this additional acreage is required.
Additional Air Shaft for Ventilation
7. Describe the activities to be conducted on this area.
Site preparation, shaft drilling, construction and operation of a fan.
8. Is the information contained in the previously approved permit application applicable to this revised area? Yes X, No

If "no", describe any changes to the previously approved permit application that will apply to this revised area.

1BR-360-8

9. LOCATION OF ADDITIONAL ACRES TO BE AFFECTED DURING PERMIT (List all surface and mineral owners and all locations applicable to each ownership as shown on the location map. If owner name is repeated, show address only once. If permittee is owner, address is not necessary.)

NAME OF SURFACE AND MINERAL OWNERS	Twp & Range	Section	Township	County
Name <u>W. F. & M. L. Fox</u> Address <u>48681 Glencoe-Whitney Road</u> City & State <u>Belmont, OH 43718</u> Surface <u>X</u> Mineral _____ Zip _____	T4N R6W	11	Smith	Belmont
Name <u>The Ohio Valley Coal Company</u> Address _____ City & State _____ Surface _____ Mineral <u>X</u> Zip _____	T4N R6W	11	Smith	Belmont
Name _____ Address _____ City & State _____ Surface _____ Mineral _____ Zip _____				

(If additional space is needed, list on a separate sheet in this format.)

I, the undersigned authorized representative of the permittee, hereby attest that no coal has been or will be removed from the acreage identified in this application.

David L. Bartsch

Environmental Coordinator

11/5/97

Signature

Title

Date

(FOR DIVISION USE ONLY)

This application is hereby APPROVED by the Chief, Division of Mines and Reclamation and effective this date. The acreage identified in item 5 of this application is now part of permit

17-0360-
(permit #)

1-30-98
Date

Michael G. Spangler by R. W. Allen
Chief, Division of Mines and Reclamation

\$ 7,500⁰⁰ of performance bond and \$ 225⁰⁰ acreage fee was received on
1-27-98
(Date)

Sump Design

All surface runoff from the site will be directed through sumps. Three sumps are located immediately adjacent to the construction pad. The sumps are approximately 70 ft x 55 ft x 10 ft, 55 ft x 50 ft x 10 ft and 55 ft x 30 ft x 10 ft in size. The shaft cuttings will occupy 0.4 ac-ft. All of the sumps combined contain a volume of 1.8 ac-ft. 1.4 ac-ft is allowed for runoff. These sumps will be covered with soil and seeded after the shaft has been drilled and the water has evaporated.

One sump is located along the haulroad. This sump will be approximately 3 ft. long and 3 ft. wide and 3 ft. deep. A hay bale dike will be placed in such a manner that water from the ditch must pass through the hay prior to entering the sump. The sump will be cleaned when it is less than full with sediment. This sump will remain following construction.

RECEIVED

NOV 13 1997

DIVISION OF MINES
AND RECLAMATION
COLUMBUS, OHIO

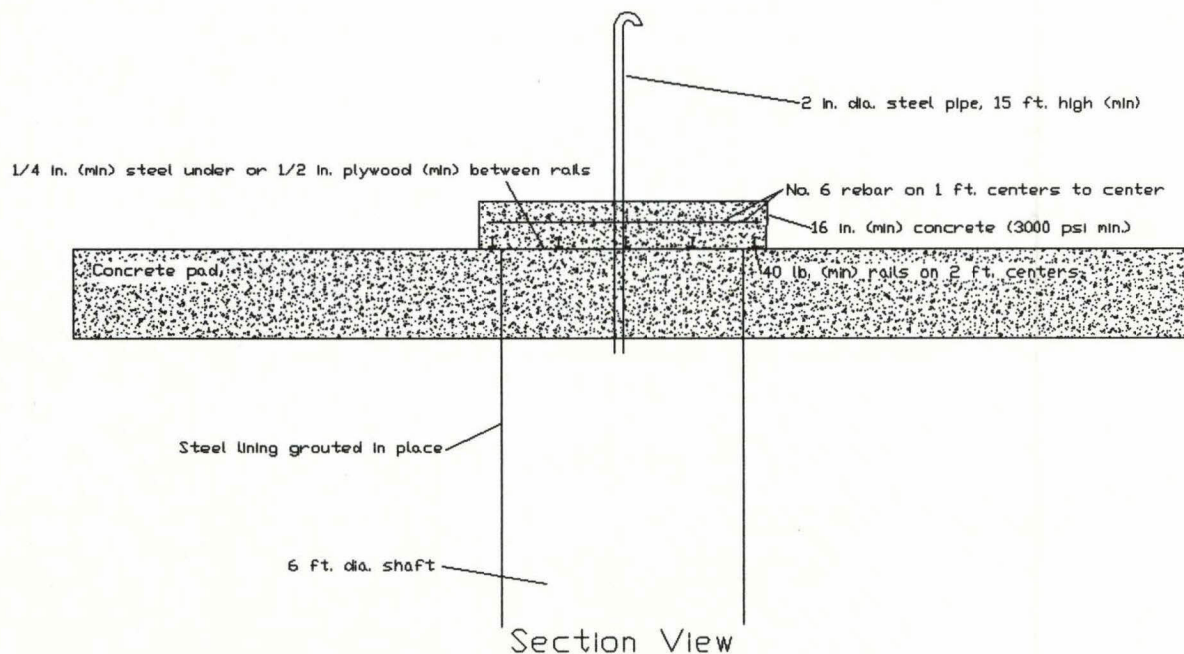
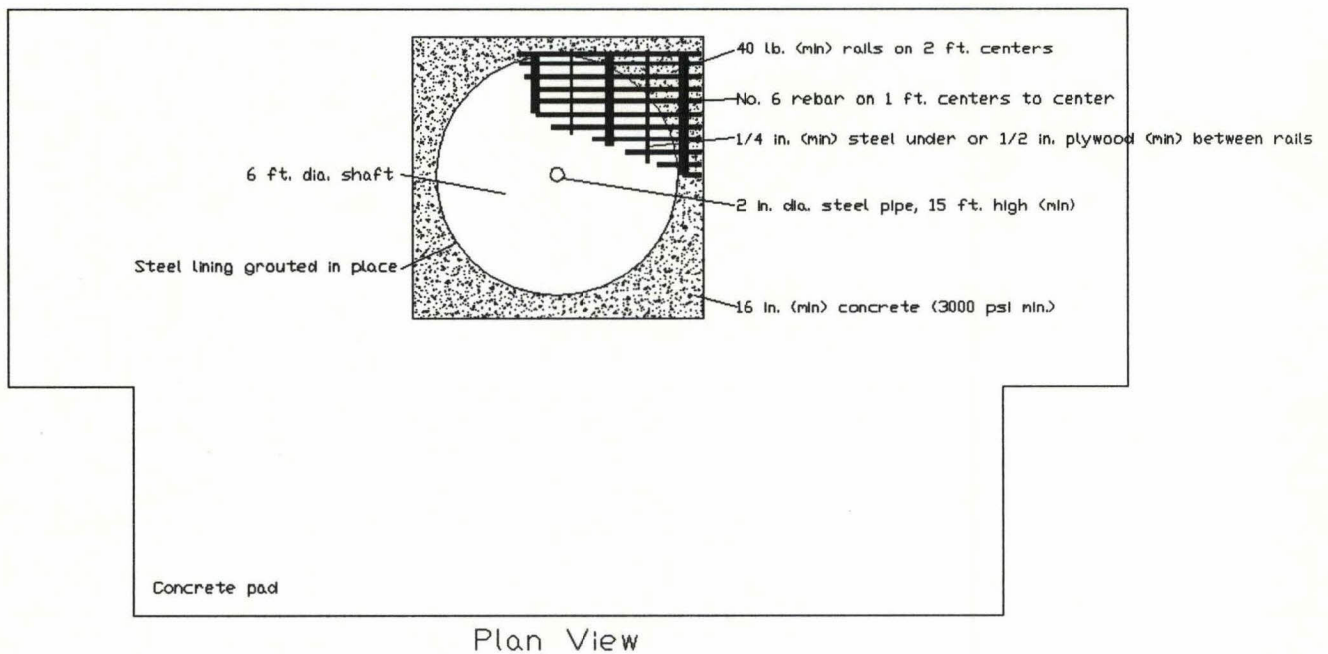
APPLICATION
FOR
INCIDENTAL BOUNDARY REVISION

25 EAST BLEEDER SHAFT SITE
THE OHIO VALLEY COAL COMPANY
POWHATAN NO. 6 MINE
PERMIT D-0360

THE OHIO VALLEY COAL COMPANY
56854 Pleasant Ridge Road
Alledonia, Ohio 43950
PHONE (614) 926-1351
FAX (614) 926-9112

Seal Design

The Ohio Valley Coal Company
 Powhatan No. 6 Mine - Permit D-0360
 Proposed Seal - 25 East Bleeder Shaft.
 (not to scale)



Valid Existing Rights

Valid Existing Rights

Valid existing rights for the Powhatan No. 6 Mine are shown on the following pages. These pages are excerpted from the original D-0360 permit and from the D-0360-6 application. The mining rights in this area were obtained from the North American Coal Royalty Corporation. Ohio Valley entered into a lease agreement with North American Coal Royalty Corporation in 1989 to mine reserves held by North American. These coal reserves are adjacent to and necessary for the continuing operation of Ohio Valley. The Ohio Valley Coal Company has a valid existing right to affect the lands described herein.

C.(8)(b) Provide either of the following to allow for coal mining operations on the underground workings.

- (i) A copy of the documents, or
- (ii) An affidavit wherein the documents are described. For all documents or affidavits provided for the underground workings, the specific parcels are to be identified on the application map.

AFFIDAVIT

State of Ohio, Belmont County, ss. David L. Bartsch being first duly sworn, says that the following described documents convey to the applicant the legal right explained below and is a subject of litigation as shown below.

Type of Document

WARRANTY DEED

Execution Date 09/26/95

Expiration Date 09/26/10

Parties: From CONSOLIDATION COAL to OVCC

Description of land: No. Acres _____

County Belmont

Township Smith

Sections 11

Lots _____

Parcel # 19

Explanation of legal rights claimed See Addendum to Page 10, Part 1, C(8)(b),

Item 4

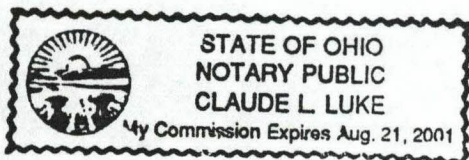
Pending litigation _____ yes X no.

David L. Bartsch
Signature of Affiant

6-25-97
Date

Environmental Coordinator and Permit Administrator
Position

Sworn before me and subscribed in my presence this 25 day of JUNE 19 97.



Claude L. Luke
Notary Public

C.(8)(b) Provide either of the following to allow for coal mining operations on the underground workings.

- (i) A copy of the documents, or
- (ii) An affidavit wherein the documents are described. For all documents or affidavits provided for the underground workings, the specific parcels are to be identified on the application map.

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Type of Document

WARRANTY DEED

Execution Date 09/26/95

Expiration Date 09/26/10

Parties: From CONSOLIDATION COAL to OVCC

Description of land: No. Acres _____

County Belmont

Township Smith

Sections 11

Lots _____

Parcel # 12

Explanation of legal rights claimed See Addendum to Page 10, Part 1, C(8)(b),

Item 13

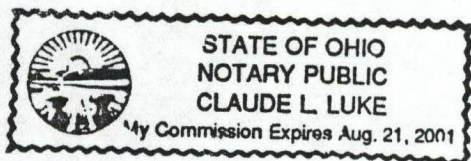
Pending litigation _____ yes X no.

David L. Bartsch
Signature of Affiant

6-25-97
Date

Environmental Coordinator and Permit Administrator
Position

Sworn before me and subscribed in my presence this 25 day of JUNE 1997.



Claude L. Luke
Notary Public

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- (i) A copy of the documents, or
- (ii) An affidavit wherein the documents are described. For all documents or affidavits provided for the underground workings, the specific parcels are to be identified on the application map.

AFFIDAVIT

State of Ohio, Belmont County, ss. David L. Bartsch being first duly sworn, says that the following described documents convey to the applicant the legal right explained below and is a subject of litigation as shown below.

Type of Document WARRANTY DEED

Execution Date 09/26/95

Expiration Date 09/26/10

Parties: From CONSOLIDATION COAL to OVCC

Description of land: No. Acres _____

County Belmont Township Smith

Sections 11 Lots _____

Parcel # 10

Explanation of legal rights claimed See Addendum to Page 10, Part 1, C(8)(b),

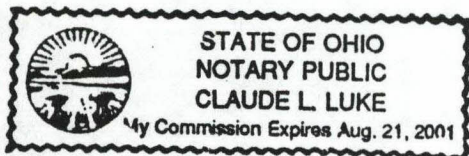
Item 2

Pending litigation _____ yes X no.

David L. Bartsch 6-25-97
Signature of Affiant Date

Environmental Coordinator and Permit Administrator
Position

Sworn before me and suscribed in my presence this 25 day of JUNE 19 97.



Claude L. Luke
Notary Public

Item 9: Mining Rights to Tract 39

Mining Rights: Together with the right to mine and remove the same from under said above described premises, also the right to transport and remove coal from other premises through and under the above described premises.

Item 10: Mining Rights to Tract 38

Mining Rights: Party of Second part are to have the free and uninterrupted right of way into upon and under said land, at such points and in such manner as may be proper and necessary for the purpose of digging, mining, draining and ventilating and carrying away said coal, (hereby waiving all surface damages, or damages of any sort arising therefrom, or from the removal of all of said coal), together with the privilege of mining and removing through said described premises, other coal belonging to said party of the second part his heirs and assigns, or which may hereafter be acquired.

Item 11: Mining Rights to Tract 37

Mining Rights: Party of Second part are to have the free and uninterrupted right of way into, upon and under said land at such points and in such manner as may be proper and necessary for the purpose of digging, mining, draining, and ventilating and carrying away said coal, (hereby waiving all surface damages or damages of any sort, arising therefrom or from the removal of all of said coal), together with the privilege of mining and removing through said described premises, other coal belonging to said party of the second part his heirs and assigns or which may hereafter be acquired.

Item 12: Mining Rights to Tract 35

Mining Rights: Party of Second part are to have the free and uninterrupted right of way into, upon, and under said land at such points, and in such manner as may be proper and necessary for the purpose of digging, mining, draining and ventilating, and carrying away said coal, (hereby waiving all surface damages, or damages of any sort arising therefrom, or from the removal of all of said coal,) together with the privilege of mining and removing through said described premises, other coal belonging to said party of the Second part his heirs and assigns, or which may hereafter be acquired.

Item 13: Mining Rights to Tract 12

Mining Rights: Party of Second part are to have the free and uninterrupted right of way into, upon and under said land, at such points and in such manner as may be proper and necessary for the purpose of digging, mining, draining and ventilating and carrying away said coal (hereby waiving all surface damages, or damages of any sort arising therefrom or from the removal of all of said coal), together with the privilege of mining and removing through said described premises, other coal belonging to said party of the second part his heirs and assigns or which may hereafter be acquired.

Item 18: Deed Rights to Tract 2

Mining Rights: Party of second part are to have the free and uninterrupted right of way into, upon and under said land, at such points, and in such manner as may be proper and necessary for the purpose of digging, mining, draining and ventilating and carrying away said coal, together with the privilege of mining and removing through said described premises, other coal belonging to said party of the second part his heirs and assigns, or which may hereafter be acquired.

Item 19: Deed Rights to Tract 34

Mining Rights: Party of Second part are to have the free and uninterrupted right of way into, upon, and under said land at such points and in such manner as may be proper and necessary for the purpose of digging, mining, draining and ventilating and carrying away said coal (hereby waiving all surface damages or damages of any sort arising therefrom, or from the removal of all of said coal), together with the privilege of mining and removing through said described premises other coal belonging to said party of the second part, his heirs and assigns, or which may hereafter be acquired.

Item 20: Deed Rights to Tract 14

Mining Rights: Party of Second part are to have the free and uninterrupted right of way into, upon and under said land at such points, and in such manner as may be proper and necessary for the purpose of digging, mining, draining and ventilating and carrying away said coal, (hereby waiving all surface damages, or damages of any sort arising therefrom, or from the removal of all of said coal), together with the privilege of mining and removing through said described premises, other coal belonging to said party of the second part his heirs and assigns, or which may hereafter be acquired.

Item 21: Deed Rights to Tract Y1

Mining Rights: Together with the full right to explore for, test, work, mine, produce, develop, clean, process, sell and remove any or all of the coal and coal seam gas incidental thereto in, on and underlying the Premises and other coal now or hereafter owned, leased or otherwise controlled by Lessee, by any underground mining method or machinery, whether now or hereafter known, including but not limited to the continuous mining process and longwall mining process; and the right of ingress, egress and regress to, from, over and across said Premises for the purpose of removing and transporting coal from within or without said Premises without additional charge; and the right to bring upon said Premises men, machinery, materials and equipment necessary, convenient or useful for the exploring, testing, mining and marketing of said coal by the methods hereunder authorized; and the right to construct, erect, use, maintain, repair, replace, move, remove, and relocate in or under the Premises roads, conveyor systems, machinery, railroad tracks, shops, power and communications lines and

Landowners

12/95

OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINES & RECLAMATION

ATTACHMENT 8
(SURFACE OWNERS' CONSENTS)

Applicant's Name The Ohio Valley Coal Company

This attachment may be completed and submitted with the permit application if the response to item C.(2) in Part 1 of the permit application is "yes."

I (We) the undersigned, hereby consent to the proposed surface mining of coal by the above named applicant on the lands described below on which I (We) are the legal surface owner(s) of record. Note: the proposed "surface mining" will consist of a road, air shaft, and fan only.

Owner's name W. F. Fox

Owner's Signature *W. F. Fox* Date 11-12-97

County Belmont Township Smith

Sections 11 Lots _____ Acres _____

Owner's name M. L. Fox

Owner's Signature *M. L. Fox* Date 11-12-97

County Belmont Township Smith

Sections 11 Lots _____ Acres _____

Owner's name _____

Owner's Signature _____ Date _____

County _____ Township _____

Sections _____ Lots _____ Acres _____

**The Ohio Valley Coal Company
56854 Pleasant Ridge Road
Alledonia, OH 43902**

CONSENT TO LEAVE ROAD

I, the undersigned, consent to allowing The Ohio Valley Coal Company leave the improved road for access to the pasture field following final reclamation.

William F. Foy 11-12-97
Name Date

Marjorie L. Foy 11-12-97
Name Date

**The Ohio Valley Coal Company
56854 Pleasant Ridge Road
Alledonia, OH 43902**

Post-Mining Land Use

I, the undersigned, state that the pre-mining land use for this property was pastureland. I agree that the post-mining land use will be returned to pastureland following reclamation.

William L. Fox 11-12-97
Name Date

Marjorie L. Fox 11-12-97
Name Date

12/95

OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINES & RECLAMATION

ATTACHMENT 10
(CONSENT TO MINE WITHIN 300 FEET OF OCCUPIED DWELLING)

Applicant's Name The Ohio Valley Coal Company

Pursuant to Ohio Administrative Code section 1501:13-3-03(E) and subject to valid existing rights, in order for a company to conduct coal mining operations within 300 feet of an occupied dwelling, permission must be obtained from the owner(s) thereof. The company designated above therefore requests that you sign this form, evidencing your consent to the company to conduct coal mining operations within 300 feet (measured horizontally) of your dwelling.

I/We, the undersigned, having the legal right to deny mining, hereby consent to coal mining operations, except those described in item 1 below, being conducted within 300 feet, but no closer than 25 feet, of my/our dwelling located as described in item 2 below.

IT IS UNDERSTOOD THAT THE SIGNING OF THIS FORM DOES NOT RELEASE THE MINING COMPANY FROM LIABILITY FOR ANY DAMAGES TO MY/OUR STRUCTURE(S) WHICH MAY OCCUR AS A RESULT OF COAL MINING OPERATIONS. IT IS ALSO UNDERSTOOD THAT "COAL MINING OPERATIONS" MAY INCLUDE ANY OR ALL OF THE FOLLOWING ACTIVITIES: EXCAVATION, STOCKPILING OF SOIL OR SPOIL, POND CONSTRUCTION, BLASTING, RECLAMATION, AND ANY OTHER RELATED ACTIVITIES.

IT IS UNDERSTOOD THAT BY SIGNING THIS CONSENT, I/WE KNOWINGLY WAIVED THE RIGHT TO DENY MINING WITHIN 300 FEET OF THE DWELLING(S) DESCRIBED BELOW.

1. Describe any activity, e.g. pond construction, which you do not consent to being conducted within 300 feet of your occupied dwelling.

Activity will consist of improvement of existing driveway near the dwelling.

2. a) Number of dwellings: 1
b) Dwelling location(s): County Belmont Township Smith
Section 11 Lot _____
Along, or access from, which public road? TWP 805

3. Name(s) and Signature(s) of Owner(s):

Name: M. A. Fox Signature: Michael A. Fox
(Print)

Date: 11/12/97

Name: J. M. Fox Signature: Marcia J. Fox
(Print)

Date: 11-12-97

.12/95

OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINES & RECLAMATION

ATTACHMENT 10
(CONSENT TO MINE WITHIN 300 FEET OF OCCUPIED DWELLING)

Applicant's Name The Ohio Valley Coal Company

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I/We, the undersigned, having the legal right to deny mining, hereby consent to coal mining operations, except those described in item 1 below, being conducted within 300 feet, but no closer than 100 feet, of my/our dwelling located as described in item 2 below.

IT IS UNDERSTOOD THAT THE SIGNING OF THIS FORM DOES NOT RELEASE THE MINING COMPANY FROM LIABILITY FOR ANY DAMAGES TO MY/OUR STRUCTURE(S) WHICH MAY OCCUR AS A RESULT OF COAL MINING OPERATIONS. IT IS ALSO UNDERSTOOD THAT "COAL MINING OPERATIONS" MAY INCLUDE ANY OR ALL OF THE FOLLOWING ACTIVITIES: EXCAVATION, STOCKPILING OF SOIL OR SPOIL, POND CONSTRUCTION, BLASTING, RECLAMATION, AND ANY OTHER RELATED ACTIVITIES.

IT IS UNDERSTOOD THAT BY SIGNING THIS CONSENT, I/WE KNOWINGLY WAIVED THE RIGHT TO DENY MINING WITHIN 300 FEET OF THE DWELLING(S) DESCRIBED BELOW.

1. Describe any activity, e.g. pond construction, which you do not consent to being conducted within 300 feet of your occupied dwelling.

2. a) Number of dwellings: 1
b) Dwelling location(s): County Belmont Township Smith
Section 11 Lot
Along, or access from, which public road? TWP 805

3. Name(s) and Signature(s) of Owner(s):

Name: James B. Thomas II Signature: James B. Thomas II
(Print) Date: 11/12/97
Name: Janet E. Thomas Signature: Janet E. Thomas
(Print) Date: 11/12/97

12/95

OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINES & RECLAMATION

**ATTACHMENT 4
(ADJACENT OWNERS)**

Applicant's Name The Ohio Valley Coal Company

This attachment is to be completed and submitted with the permit application if the response to item C.(5) in Part 1 of the permit application is "yes."

Name of owner G. Walls

Address 63121 Erwin-Higgins Rd.

City Belmont State OH Zip 43718

 X Surface, Mineral

Name of owner _____

Address _____

City _____ State _____ Zip _____

_____ Surface, _____ Mineral

Name of owner _____

Address _____

City _____ State _____ Zip _____

_____ Surface, _____ Mineral

Name of owner _____

Address _____

City _____ State _____ Zip _____

_____ Surface, _____ Mineral

Prime Farmland Determination

Certification of Prime/Nonprime Farmland

Name of Mine Operator The Ohio Valley Coal Co.

Location of Permit Application Area Section 11 Smith Twp., Belmont Co.

Size of Permit Area (Acres) 3 ac.

Check Appropriate Block:

1. ☐

I have determined that this permit application DOES NOT contain prime farmland in accordance with the edition of the current county Prime Farmland Map Unit List found in the county Field Office Technical Guide.

2. ☒

I have found that this permit application CONTAINS prime farmland in accordance with the edition of the Prime Farmland Map Units for Ohio and/or the current county Prime Farmland Map Unit List, whichever is more current.

A soil map has been attached and prime units are as follows:

Soil Map Symbol

Map Unit Name

CuB

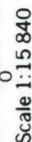
Culleoka silt loam, 3 to 8% slopes

Signature

James W Forshey

11/10/97

Jim Forshey, Natural Resources Conservation Service
1119 East Main St., Barnesville, OH 43713, (614) 425-1100



PRIME FARMLAND DESCRIPTION
(Original undisturbed soil profile)

CuB -- Culleoka silt loam, 3 to 8 percent slopes.

This soil has a brown, friable silt loam surface layer, (A Horizon) about 8 inches thick. The subsoil, (B Horizon) is about 17 inches thick. The upper part is brown, friable silt loam. The lower part is brown, friable channery loam. The substratum (C Horizon) is yellowish brown, friable very channery loam. Depth to bedrock ranges from 20 to 40 inches.

**The Ohio Valley Coal Company
56854 Pleasant Ridge Road
Alledonia, OH 43902**

Farmland Use

I, the undersigned, certify that we have been the owners of the lands within the proposed permit application area for The Ohio Valley Coal Company for more than ten (10) years. During that time, the land has not been historically used for cropland. During this period, the land was used for pastureland.

William L. Foy 11-12-97
Name Date

Marjorie L. Foy 11-12-97
Name Date

Variance Requests and Waivers



November 5, 1997

Ms. Lisa J. Morris, Chief
Division of Mines and Reclamation
Ohio Department of Natural Resources
1855 Fountain Square Court
Columbus, Ohio 43224

Dear Ms. Morris:

The Ohio Valley Coal Company respectfully requests a small area drainage exemption for the enclosed Incidental Boundary Revision pursuant to OAC 1501:13-9-04 B(3)(a). An area of 3.0 acres will be developed for an air shaft. The shaft will be located in Belmont County, Smith Township, Section 11.

The area will be covered with a durable, non-erodible (limestone) surface and the drainage along the access road will be controlled with the use of a construction sump (3 ft x 3 ft 3 ft), a hay bale dike, and silt fence during construction. The construction pad has three construction sumps adjacent that will receive runoff from the site. These construction sumps (55 ft x 70 ft x 10 ft, 50 ft x 55 ft x 10 ft, and 30 ft x 55 ft x 10 ft) will be removed after the shaft construction is completed. The silt fence will be placed to prevent sediment from entering the stream. The silt fence will be removed only after the construction of the shaft is complete, the area has been covered with rock, and grass has been established on non-rock areas. The sump along the access road will remain following the end of construction.

Any discharge from this site, including discharge from the sumps, will meet effluent limits. If you have any questions, please contact me.

APPROVED	<input checked="" type="checkbox"/>
DISAPPROVED	<input type="checkbox"/>
DATE:	1-30-98
SIGNED	<i>Michael S. Spenser</i> <i>David L. Bartsch</i>
	Chief

Sincerely,
THE OHIO VALLEY COAL COMPANY

David L. Bartsch, P.E.
Environmental Coordinator and
Permit Administrator

cc: File

56854 PLEASANT RIDGE ROAD • ALLEDONIA OHIO 43902
(614) 926-1351 • FAX (614) 926-1615

TOVCC 22891

TO:

Victor Nardis

FROM:

John Reichwein, Ph.D.

SUBJECT: Archeology Status Form

DATE:

2-2-98

Operator

Shio Valley Coal Co.

Application

D-0360-6 IBR Zaccus

Please indicate below the status of the historic and prehistoric properties on the above application:

☒ Application cleared. (explanation provided in clearance letter).

☐ Application conditionally cleared (explanation provided below).

☐ Survey pending (explanation provided below).

To: Dr. Dave Snyder
Fr: J. H. Reickwein, Ph.D.

December 23, 1997

Re: IBR Area : 3 acres
Ohio Valley Coal Company
D-360-6

Fox farmstead : Smith Top Belmont Co.

Please find attached an Attachment 27, IBR map, and completed Ohio Historic Inventory form for the above IBR. Please note that comment from your office on the Fox farmstead IBR is expeditiously requested. Please also note that black and white photographs were provided to you, and previously submitted with the 360-6 photo inventory.

I performed an on-site review of this IBR with the applicant. The access route is the existing driveway. The applicant proposed to place filler (grit and limestone) over the driveway, through the farmstead complex and south to the pond areas. The access route south of the complex is on side A (10% slope) and the southernmost flat slated for pond construction (180' E-W by. revealed in "A" horizon, at 2-4" per corner.

Reichwein to Snyder 12.23.97

2

OVCC IBR

soil probes. There also appears to be an older farm lane (depression) running in a north/south direction to the farm complex to the north.

The applicant proposed not to affect any of the historic structures and the IBR has a low probability of containing any eligible historic or prehistoric properties, given the alterations to the residence, and minimal "A" horizon.

Please review and provide comment on this project at your earliest convenience. Please contact Dave Batteck, Ohio Valley Coal 614-926-1351 and Victor Hardy at the Division 614-265-6654 if you review it prior to my return on January 5, 1997.

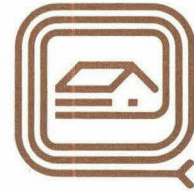
Thank you for your assistance.

c. Victor Hardy

Ohio Historic Preservation Office

567 East Hudson Street
Columbus, Ohio 43211-1030
614/ 297-2470 Fax: 614/ 297-2496

Visit us at www.ohiohistory.org/resource/histpres/



OHIO
HISTORICAL
SOCIETY
SINCE 1885

January 27, 1998

Jeffrey C. Reichwein, Ph.D.
Ohio Department of Natural Resources
Division of Reclamation
Fountain Square
Columbus, OH 43224

Re: Mining Permit Application #D-0360-6-IBR
Ohio Valley Coal Company, Alledonia, Ohio
Smith Township, Belmont County, Ohio

Dear Dr. Reichwein,

This is in response to correspondence from your office dated December 23, 1997 (received December 23) regarding the above referenced project. The comments of the Ohio Historic Preservation Office (OHPO) are submitted in accordance with provisions of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470 [36 CFR 800]).

The correspondence provides information on a proposed 3.0 acre IBR expansion of the Permit Application #D-0360-6 area, and includes a completed Ohio Historic Inventory form for the Fox residence. This appears to be property #96 in the preliminary information sent to this office dated March 10, 1997. We concur that the architectural property is not eligible for inclusion in the National Register of Historic Places. We further concur with the plans stated in your December 23, 1997, correspondence to protect the property from impacts and that the proposed IBR area will have no effect on any property eligible for inclusion or included in the National Register of Historic Places. No further coordination with this office is necessary for this project unless there is a change in the scope of work. In addition, if new or additional sites are discovered, this office should be notified [36 CFR 800.11(d)(1)].

Any questions concerning this matter should be addressed to David Snyder at (614) 297-2470, between the hours of 8 am. to 5 pm. Thank you for your cooperation.

Sincerely,

David Snyder, Archaeology Reviews Manager
Resource Protection and Review

DMS/ds

serno: 963968

TOVCC 22895

Mr. Victor

12-5-97

Fr. JMR

Re: Ship Valley Coal
IBR

Please find attached the IBR
for D-360-7 — Please note
that the attachment 2-7 is
incomplete — #6 land use;
#7 — there is a farmstead on it —
also, the OTT needs revision
#9 needs to be completed and
#17 dates — the 1888 atlas had
the farmstead on it — also b+w photos of
Mention Fox. Finally, a topo map and
design map with areas delineated
for project need to be included.

See me if questions in Tues
12-9-97 morning.

Thanks

12/95

IBRD-0360-

OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINES & RECLAMATION

SURFACE MINING OPERATIONS
ATTACHMENT 27
(HISTORIC AND PREHISTORIC PROPERTIES)

1. Applicant's Name The Ohio Valley Coal Company
Address 56854 Pleasant Ridge Road
City Alledonia State OH Zip 43950
2. Contact Person David L. Bartsch Phone 614-926-1351
3. Location and Acreage Information
County Belmont Township Smith
Section(s)/Lot(s) 11 T-6N, R-4W
USGS Quadrangle Armstrongs Mills Acreage 3.0
4. Application Map Attached: (area described in 3. above is to be outlined on the map)
5. Previous Disturbance:

 present; X absent within permit area only
(Note: previous disturbance is any type of natural or human made disturbance to the topsoil and subsoil in the permit area prior to permit application. Examples include, but are not limited to, slides, severe erosion, previous mining activities, clear cut logging, recreational activities, etc., but not agricultural plowing and disking.)

If previous disturbance is present, list below and clearly delineate the extent of each type of disturbance on the application map to be sent to the SHPO by the Division. Attach addendum, if necessary.

Type of Disturbance	Date Occurred	Percent of Permit Area	Map Symbol

6. Current Land Use: (describe land use and percent of land in that use) Unused

Agricultural:

Residential:

Mining:

Pasture:

Secondary Forest Growth:

Has area been clear cut logged? Yes _____, No _____.

If "yes," indicate approximate date(s) of logging _____.

Other:

7. Historic and Prehistoric Structures:

Definitions

A historic or prehistoric structure is a work made up of interdependent and interrelated parts in a definite pattern of organization. Constructed by humans, and 50 years or older, it is usually an engineering project.

Types

Historic structures include, but are not limited to dwellings, buildings, barns, farmstead outbuildings, bridges, culverts, churches, schools, halls, iron furnaces (and associated buildings), canals, forts, abandoned coal mine buildings, mine entrances, tipples and related structures, etc.

Prehistoric structures include, but are not limited to, earthworks, mounds, rockshelters, etc.

List all known historic and prehistoric structures below and locate each one on the application map to be sent to the SHPO including corresponding labeled black and white, front and rear photographs of each structure. Attach addendum, if necessary.

Structure Type	Construction Date	Map Reference	Photo # Front	Photo # Rear

8. Previous Historic and/or Archeological Surveys: (describe any surveys known to applicant on the permit or adjacent areas)

Permit area:

Adjacent areas:

9. SHPO please send this form to:

Dr. Jeffrey C. Reichwein
Division of Mines & Reclamation
1855 Fountain Square Court, H-2
Columbus, Ohio 43224

FOR USE BY THE STATE HISTORIC PRESERVATION OFFICE ONLY

(check appropriate space)

- A. _____ This is a recommendation for an archeological survey of the proposed permit area based on the following reasons (attach addendum, if necessary):

A SHPO review of the area shown on the application map has provided a listing below of all known historic and prehistoric properties listed and eligible for listing on the "National Register of Historic Places" and known historic and prehistoric sites on the permit and adjacent areas (in a 1.5 mile radius). The listing includes, when appropriate, those historic and prehistoric structures identified by the applicant in items 7. and 8. above.

Listed and Eligible National Register Sites

Site Name (#)	Type	Proposed Area	Adjacent Area

Known Historic and Prehistoric Sites

Site Name (#)	Type	Proposed Area	Adjacent Area

- B. _____ A SHPO review of the area shown on the application map and information contained in this attachment finds that the proposed mining does not have a reasonable probability of affecting any properties listed or eligible for listing on the "National Register of Historic Places." Therefore, no further coordination will be necessary with this office unless the scope of the proposed application area changes.

State Historic Preservation Officer _____

SHPO.# _____

Date _____

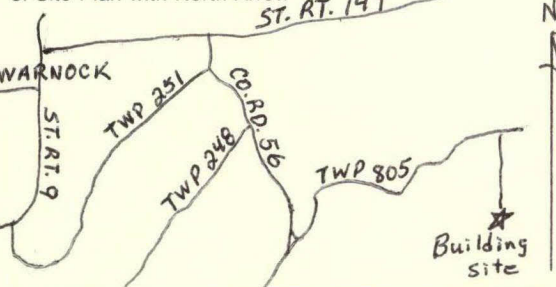
OHIO HISTORIC INVENTORY

Ohio Historic Preservation Office

1985 Velma Avenue
Columbus, Ohio 43211
614/297-2470



OHIO HISTORICAL SOCIETY
SINCE 1885

1. No.	2. County Belmont	4. Present Name(s) Fox Residence		<input type="checkbox"/> Coded	1. No.
3. Location of Negatives Quality Environmental Serv.		5. Historic or Other Name(s) Kettlewell Residence			
Roll No. 5-1	Picture No.(s) 1-13				2. County Belmont
6. Specific Address or Location 48848 Glencoe-Whitney Road Belmont, OH 43718		16. Thematic Association(s) Agriculture		28. No. of Stories 2	
6a. Lot, Section or VMD Number Section #11		17. Date(s) or Period 1912, 1930, 199	17b. Alteration Date(s)	29. Basement? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	4.5. Present or Historic Name Fox Residence
7. City or Village If Rural, Township & Vicinity Glencoe Vicinity Smith Twp.		18. Style or Design <input type="checkbox"/> High Style <input checked="" type="checkbox"/> Elements Vernacular	30. Foundation Material Sandstone, Glazed Tile		
8. Site Plan with North Arrow		18a. Style of Addition or Element(s) No Academic style-Vernacular	31. Wall Construction Wood		4.5. Present or Historic Name Fox Residence
		19. Architect or Engineer	32. Roof Type & Material Gable - Asphalt Shingle		
9. U.T.M. Reference Quadrangle Name		19a. Design Sources	33. No. of Bays Front 2 Side 2		4.5. Present or Historic Name Fox Residence
Zone Easting Northing		20. Contractor or Builder	34. Exterior Wall Material(s) Vinyl siding/Insul brick		
10. Site <input type="checkbox"/> Structure <input type="checkbox"/> Building <input checked="" type="checkbox"/> Object <input type="checkbox"/>		21. Building Type or Plan	35. Plan Shape T-shaped		4.5. Present or Historic Name Fox Residence
11. On National Register? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> 12. N.R. Potential? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> 13. Part of Estab. Hist. Dist.? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> 14. District Potential? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		22. Original Use, if apparent Single Dwelling	36. Changes Addition <input checked="" type="checkbox"/> Altered <input checked="" type="checkbox"/> Moved <input type="checkbox"/> (Explain in #42)		
15. Name of Established District (N.R. or Local)		23. Present Use Single Dwelling	37. Window Type(s) <input checked="" type="checkbox"/> 6 over 6 <input checked="" type="checkbox"/> 2 over 2 <input type="checkbox"/> 4 over 4 <input type="checkbox"/> Other level		4.5. Present or Historic Name Fox Residence
		24. Ownership Public <input type="checkbox"/> Private <input checked="" type="checkbox"/>	38. Building Dimensions 48' x 35'		
		25. Owner's Name & Address, if known William & Marjorie Fox 48681 Glencoe-Whitney Road Belmont, OH 43718	39. Endangered? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> By What?		4.5. Present or Historic Name Fox Residence
		26. Property Acreage 100	40. Chimney Placement Outside Add-On		
		27. Other Surveys in Which Included	41. Distance from and Frontage on Road 1056' 1200'		4.5. Present or Historic Name Fox Residence
42. Further Description of Important Interior and Exterior Features (Continue on reverse if necessary)					
Addition-the entire front section was added on in 1912. The shed type addition (porch) on the southwest corner was added in the 1930's. The porch was added in 1997.					
43. History and Significance (Continue on reverse if necessary)					
Property was inventoried because it was built before 1947. The two previous owners were Kettlewell and Oglebee.					
44. Description of Environment and Outbuildings (See #52)					
Located near the homesite is a wagon shed/grainery, barn, small shed and a privy.					
45. Sources of Information					
Visual and interview					
46. Prepared by Fred Blackman					
47. Organization Ohio Valley Coal					
48. Date Recorded in Field 11-11-97					
49. Revised by 50a. Date Revised					
50b. Reviewed by					

48848 Glencoe-Whitney Rd
Belmont, OH 43718

TOVCC 22901

51. Condition of Property

- ☐ Excellent
☒ Good/Fair
☐ Deteriorated

- ☐ Ruin
☐ Destroyed/Burned
 Date _____

52. Historic Outbuildings and Dependencies

Barn Type(s)

Mortise and Tenon Frame

- | | | |
|---|---------------------------------------|---|
| Corn Crib or Shed <input checked="" type="checkbox"/> | Smoke House <input type="checkbox"/> | Privy <input checked="" type="checkbox"/> |
| Summer Kitchen <input type="checkbox"/> | Spring House <input type="checkbox"/> | Garage <input type="checkbox"/> |
| Silo <input type="checkbox"/> | Ice House <input type="checkbox"/> | |
| Designed landscape features <input type="checkbox"/> | | |

53. Affiliated OAI Site Number(s) _____ one _____ multiple

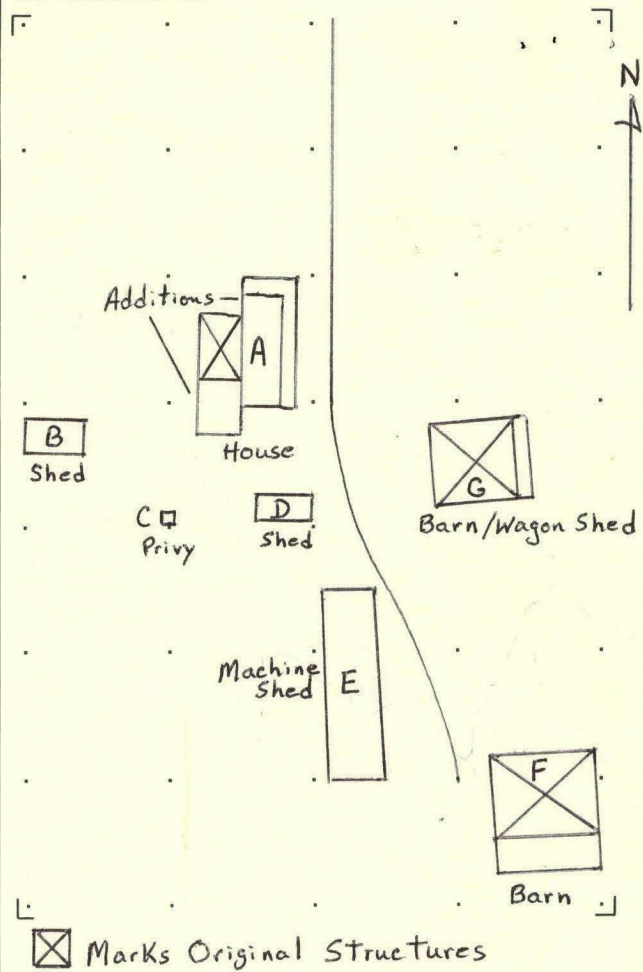
Archaeological Feature:

Observed

Expected on Basis of
Archival Research

Well	_____	_____
Privy	_____	_____
Cistern	_____	_____
Foundation	_____	_____
Structural Rubble	_____	_____
Formal Trash Dump	_____	_____
Other _____	_____	_____

54. Farmstead Plan



42. (Cont'd)

43. (Cont'd)

TOVCC 22903



December 10, 1997

George V. Voinovich • Governor
Donald C. Anderson • Director

The Ohio Valley Coal Company
56854 Pleasant Ridge Road
Alledonia OH 43950

Gentlemen:

Your incidental boundary revision (I.B.R.) on Permit for 3.0 acres was received on November 13, 1997. The (I.B.R.) has been judged incomplete.

Upon receipt of the following information processing will continue. Per archaeological review by Dr. Jeffrey Reichwein, please submit the following revisions:

1. On the Attachment 27, revise items #6 and #7 to address land use and to list the farmstead.
2. Also, revise the O.H.I. form addressing items #9 and item #17. On item #17, the 1888 Atlas indicated a farmstead.
3. Submit a topographic map and design map with areas delineated for the project.
4. Please affix the black and white photo's on the front of the O.H.I.

If this IBR area has been affected, submit to the Division within (30) days of the actual or constructive receipt of this letter the above revisions. Failure to comply in a complete and timely manner will result in enforcement action.

Any additional or revised documents must be submitted in quadruplicate. Any questions you may have can be directed to me at 614-265-6654.

Sincerely,

Victor J. Nardy
Permitting & Hydrology Section
Division of Mines & Reclamation

VJN/pmp

C: Jeff Reichwein
File



11-17-97
- 1 copy to field ~~11-17-97~~
- 1 copy to be assigned a hydrologist
11-17-97

November 5, 1997

Mr. Thomas J. Pulay, Reclamation Inspector
Division of Mines and Reclamation
Ohio Department of Natural Resources
8505 Georgetown Road
Cambridge OH 43725

Dear Tom:

Enclosed is an incidental boundary revision application for a bleeder shaft. Please expedite this application as it is needed as soon as possible. Thank you.

Sincerely,
THE OHIO VALLEY COAL COMPANY

David L. Bartsch, P.E.
Environmental Coordinator and
Permit Administrator

cc: L. R. Artler
J. R. Forrelli
file

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56854 PLEASANT RIDGE ROAD • ALLEDONIA OHIO 43902
(614) 926-1351 • FAX (614) 926-1615

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